



Attorney Docket No.: 08191-014002

1632 #11
Dec 11/14/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lynn B. Lunsford et al.
Serial No. : 09/909,460
Filed : July 18, 2001
Title : MICROPARTICLES FOR DELIVERY OF NUCLEIC ACID

Art Unit : 1632
Examiner : Dave Nguyen

Commissioner for Patents
Washington, D.C. 20231

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RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement dated October 2, 2002, applicants elect the invention of Group I (claims 1-36), drawn to polymeric compositions comprising a polymer microparticle and DNA, and methods of using polymeric compositions to deliver a nucleic acid molecule to a subject. Additionally, applicants traverse the restriction requirement with respect claim to 51. Since claim 51 depends from claim 7 (i.e., of Group I) rather than any of the claims of Group II, applicants believe that claim 51 properly belongs in restriction Group I.

Applicants further make the following species elections.

Claim 8: B/ a DNA encoding a peptide which binds to an MHC class I molecule.

Claim 9: an anionic lipid.

Claim 26: a sequence which trafficks to endoplasmic reticulum.

Applicants have not elected a species from claim 25, as SEQ ID NOS:1-46 recited therein refer to MHC class II associated peptides, and do not appear to be relevant to the elected species "DNA encoding a peptide which binds to an MHC class I molecule" in claim 8.

Claims 1-16, 18-21, 23, 26-36, and 51 read on the elected species.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

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Page : 2

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Respectfully submitted,

Date: November 1, 2002

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